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11 Attorneys for Plaintiff
12 METROPOLITAN LIFE INSURANCE COMPANY

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 METROPOLITAN LIFE INSURANCE
16 COMPANY,

17 Plaintiff,

18 v.

19 ELIZABETH BRO; JEAN JONES; MARY
20 CUNNINGHAM; TERESA KNIGHT; and
21 CARRIE ZUNICH,

22 Defendants.

Case No. C 10-1312 MEJ

**NOTICE TO COURT AND PARTIES OF
DEPOSIT OF FUNDS AND REQUEST
FOR DISMISSAL WITH PREJUDICE;
~~[PROPOSED]~~ ORDER DISMISSING
PLAINTIFF WITH PREJUDICE**

23 TO THE COURT AND ALL PARTIES APPEARING HEREIN:

24 PLEASE TAKE NOTICE that pursuant to this Court's September 21, 2010 Order (ECF
25 No. 21), on October 12, 2010, plaintiff Metropolitan Life Insurance Company ("MetLife")
26 deposited with the Clerk of the Court for the United States District Court, Northern District of
27 California, the sum of \$39,710.01, which represents the total amount of the disputed life
28 insurance benefits payable under the Pacific Gas and Electric Company Employee Welfare Plan
("Plan") at issue in this action, with interest accrued thereon.

Accordingly, pursuant to this Court's September 21, 2010 Order, MetLife respectfully
requests that the Court discharge MetLife, Pacific Gas and Electric Company, and the Plan from
any further liability with regard to the \$39,710.01 ("Plan Benefits"); restrain and enjoin all of the

Defendants from instituting any action or proceeding in any state or United States court against MetLife, Pacific Gas and Electric Company, or the Plan for the recovery of Plan Benefits, by reason of the death of the Orlen Moore and that MetLife be dismissed with prejudice from this litigation.

DATED: October 14, 2010

Respectfully submitted,

SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: /s/ Erin A. Cornell

Rebecca A Hull

Erin A Cornell

Attorneys for Plaintiff

METROPOLITAN LIFE INSURANCE COMPANY

ORDER

Pursuant to plaintiff Metropolitan Life Insurance Company's ("MetLife") Notice of Deposit of Funds and this Court's September 21, 2010 Order (ECF No. 21), the Court hereby ORDERS that MetLife, Pacific Gas and Electric Company, and the Pacific Gas and Electric Company Employee Welfare Benefit Plan are discharged from any further liability with regard to the life insurance benefits payable under the Pacific Gas and Electric Company Employee Welfare Plan as a consequence of the death of Orlen Moore; that the Defendants are restrained and enjoined from instituting any action or proceeding in any state or United States court against MetLife, Pacific Gas and Electric Company, or the Pacific Gas and Electric Company Employee Welfare Benefit Plan for the recovery of life insurance benefits payable as a consequence of the death of Orlen Moore, and that Metropolitan Life Insurance Company is hereby dismissed with prejudice from this litigation.

IT IS SO ORDERED.

DATED: October 14, 2010



Honorable Maria Elena James
United States Magistrate Judge